FEDERAL	CALIFORNIA		RESULT IF
(Title IV-E of the Social Security Act, 42 U.S.C. § 670 et seq.)	DEPENDENCY	DELINQUENCY	NO FINDING
	Welf. & Inst. Code (WIC), § 300 et seq.	WIC, § 602 et seq.	
Detention/Removal Hearings			
A. Court must make finding that "continuance in the home of the parent or legal guardian would be contrary to the child's welfare." (42 U.S.C. § 672(a)(1).)	Continuance in the home of the parent or legal guardian is contrary to the child's welfare. (WIC, §§ 319(b), 11401(b)(3); Cal. Rules of Court, rule 1446(c)(1).)	Continuance in the home of the parent or legal guardian would be contrary to the child's welfare. (WIC, § 636(d), 11401(b)(3); Cal. Rules of Court, rule 1475(c)(1)) This finding must be made at the time of	NEVER eligible for Titl IV-E funding (45 C.F.R § 1356.21(c).)
This finding must be made at the time of the first court ruling authorizing removal of the child from the home. (45 C.F.R. § 1356.21(c).)	This finding must be made at the time of the first court ruling authorizing removal of the child from the home. (WIC, §319(c).)	the first court ruling authorizing removal of the child from the home. (WIC, § 636(d)(4).)	
B. Court must make finding that "placement and care are the responsibility of the State agency or any other public agency with whom the responsible state agency has an agreement." (42 U.S.C. § 672(a)(2); 45 C.F.R. § 1356.71(d)(1)(iii).)	Temporary placement and care are vested with the child welfare agency pending disposition or further order of court. (WIC, § 319(e); Cal. Rules of Court, rule 1446(c)(2).)	Temporary placement and care are vested with the probation officer pending disposition or further order of court. (WIC, § 636(d)(3)(B);Cal. Rule of Court, rule 1475(c)(2).)	No funding until finding are made.
C. Court must make finding that "reasonable efforts have been made to prevent or eliminate need for removal." (42 U.S.C. § 671(a)(15); 42 U.S.C. § 672(a)(1); 45 C.F.R. § 1356.21(b)(1).)	Reasonable efforts have been made to prevent or eliminate the need for removal. (WIC, §§ 319(d)(1), 11401(b); Cal. Rule of Court 1446(d).)	Reasonable efforts have been made to prevent or eliminate the need for removal. (WIC, §§ 636(d)(2(B), 727.4(d)(5), and 11401(b); Cal. Rules of Court, rule 1475(c)(3).)	NEVER eligible for Titl IV-E funding (45 C.F.R § 1356.21(b)(1)(ii).)
This finding must be made within 60 days of the date of removal. (45 C.F.R. § 1356.21(b)(1).)			
Case Review/Status Review Hearings			
D. Court must review child's status and safety no less frequently than once every six months from the date the child entered foster care , in order to make the recommended legal findings as set forth on side two, sections II and IV (42 U.S.C. § 671(a)(16); 42 U.S.C. § 675(5)(B); 45 C.F.R. § 1355.34(c)(2)(ii); 45 C.F.R. § 1355.20.)	Periodic status reviews must be held, and the required findings made, no less frequently than every six months, with the first status review being held at the time of the initial dispositional hearing (WIC, §§ 361(e), 366(a), 366.3, 11400(i) and 11404.1; Cal. Rules of Court, rule 1460(a).)	Periodic status reviews, must be held and the required findings made, for children in placement no less frequently than every six months from the date the child entered foster care , until termination of the case. (WIC, §§ 727.2(c), 11400(i), and 11404.1; Cal. Rules of Court, rule 1496.)	Failure to make findings will have financial consequences due to noncompliance with the State Plan.
Permanent Plan Hearings			
E. Court must hold a permanency hearing to select a permanent plan no later than 12 months from the date the child entered foster care , and must hold subsequent permanency plan hearings every 12 months thereafter. (45 C.F.R. § 1356.21(b)(2)(i); (42 U.S.C. § 675(5)(C) and (F); 45 C.F.R. § 1355.20).) For case in which no reunification services are offered, the permanency hearing must be held within 30 days of disposition. (45 CFR 1356.21(h)(2)) Recommended legal findings, indicated on side two, section III, must be made.	A permanency planning hearing must be held, and the required findings made, within 12 months from the date the child entered foster care , and subsequent permanency hearings must be held every 12 months thereafter. (WIC, §§ 361.5(f), 366.21(f), 366.21(g), 366.22, 366.3, 11400(j), and 11404.1; Cal. Rules of Court, rule 1461.)	A permanency planning hearing must be held, and the required findings made, within 12 months from the date the child entered foster care , and subsequent permanency hearings must be held every 12 months thereafter. (WIC, §§ 727.3(a)(1), 11400(j), and 11404.1; Cal. Rules of Court, rule 1496.)	Funding stops unless findings made.

Definition of "date the child entered foster care":

Dependency—Date the child entered foster care is the earlier of the first finding of child abuse or neglect (jurisdictional finding) or 60 days after the child is physically removed from the home of the parent(s) or legal guardian(s). (WIC, § 361.5(a); Cal. Rules of Court, rule 1401(7) and (13).)

Delinquency—Date the child entered foster care is the date that is 60 days after the date on which the child was physically removed from the home of the parent(s) or legal guardian(s) unless one of the following exceptions applies: 1) If the child is detained pending initial foster care placement and remains detained for more than 60 days, then the date of entry into foster care is the date of the hearing when placement is ordered; (2) If the child is adjudged a ward; committed to a ranch, camp, school, or other institution; and remains in that facility for more than 60 days prior to placement in foster care, then the date of entry into foster care is the date the child is physically placed in foster care. (WIC, § 727.4(d)(4); Cal. Rules of Court, rule 1401(7)(B).)

Recommended Title IV-E Findings to Ensure Federal Foster Care Reimbursement

Findings must be based on sufficient supporting evidence, presented to the court by the probation department or social services agency.				
	ention/Removal Hearings ke the following findings:			
A. B. C.	y ,			
	ePermanency Case Review/Status Review Hearings			
Ma	ake the following findings:			
D D	2. The agency has complied with the case plan by making reasonable efforts to enable the child's safe return home and to complete whatever steps permanent placement of the child;	are necessary to finalize the		
D: D:				
III. Permanency Hearing Make the following findings:				
D	1. The child's placement is necessary and appropriate;			
D:	The agency has complied with the case plan by making reasonable efforts to make it possible for the child to safely return home and to complete whatever steps are necessary to finalize the permanent placement of the child; The extent of progress made by the family toward alleviating or mitigating the causes necessitating placement has been; and			
D:				
	[_] return home or [_] adoption or			
	[_] legal guardianship or			
	[_] permanent placement with a fit and willing relative or [_] planned permanent living arrangement			
IV. P	ostPermanency Periodic Review Hearings			
	ake the following findings:			
	D1. The child's placement is necessary and appropriate; D2. The agency has complied with the case plan by making reasonable efforts, including whatever steps are necessary to finalize the permanent placement of the child; and			
	D2. The agency has complied with the case plan by making reasonable efforts, including whatever steps are necessary to finalize the permanent placement of the child; and is appropriate and is ordered as the permanent plan.			
	[_] return home or			
	[_] adoption or			
	[_] legal guardianship or [_] permanent placement with a fit and willing relative or			
	[_] planned permanent living arrangement			

[&]quot;This publication/document/chart/memorandum is based on laws in effect at the time of publication (January 2002). Federal and state laws can change at any time."